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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,666	11/20/2003	Mark Erismann	P24321	7427
7055	7590	04/05/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			HSIEH, SHIH YUNG	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/716,666	Applicant(s) ERISMANN, MARK	
	Examiner Shih-yung Hsieh	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8 and 12-29 is/are rejected.
- 7) ☒ Claim(s) 5, 7 and 9-11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/20/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2837

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-4, 6, 8, and 12-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Erismann (6,624,347).

Regarding claim 1, Erismann discloses a string tensioning system for a string instrument having an instrument body (6), at least one tensionable string (4) that is fixed on at least one end at a fixing point (30 in Fig. 13), and a chamber (the chamber hosting the screw 26 in Fig. 13) accommodating a portion of the at least one tensionable string positioned between a string introduction aperture (Fig. 13 shows an unnumbered aperture showing string 4 going through) and the fixing point (Fig. 13), the system comprising: at least one sting tensioning device (26, 28) adjustable from outside the instrument body, wherein the at least one string tensioning device is at least partially arranged in the chamber of the instrument body (Fig. 13); the at least one string tensioning device comprising a tensioning screw (26) and a string tensioning head (28); the tensioning screw extending into the chamber (Fig. 13); the string tensioning head being connectable to the portion and being movable by rotating the tensioning screw (Fig. 13, and col. 8, lines 57-60); the chamber comprising free spaces on opposie sides of the string tension head (Fig. 13).

Regarding claims 2-4, 12-15, Erismann discloses the claimed invention (Fig. 13).

Regarding claims 6 and 8, Erismann discloses the claimed invention (251, 252 and Fig. 13).

Regarding claims 16-23, Erismann discloses the claimed invention (Figs. 13 and 14, and pine 10, slot 9).

Regarding claims 24 and 25, see above statement.

Regarding claims 26-29, the method steps are inherent in the device discloses in the reference.

3. Claims 5, 7, 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The claims are allowable over the prior art for at least the reason that the prior art fails to reasonably teach or suggest in claim 5 that the guiding body comprises oppositely arranged slot shaped recesses, wherein the slot shaped recesses accommodate movement of the portion of the string, in claim 7 that at least one guiding sleeve comprises oppositely arranged slots which accommodate the portion of the string, and in claim 9 that at least one slot formed on an end of the instrument, wherein the at least one slot communicates with the chamber as set forth in the claimed combination.


Art Unit: 2837

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-yung Hsieh whose telephone number is 571-272-2065. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SHIH-YUNG HSIEH
PRIMARY EXAMINER